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HOUSE OF THE PEOPLE

The following Bill was introduced in the House of the People on 15th April, 1958:—

BILL* No. 34 OF 1953

A Bill to regulate certain conditions of service of the Comptroller and Auditor-General of India

Be it enacted by Parliament as follows:—

1. **Short title.**—This Act may be called the Comptroller and Auditor-General (Conditions of Service) Act, 1953.

2. **Term of office of Comptroller and Auditor-General.**—A Comptroller and Auditor-General of India shall hold office for a term of six years from the date on which he enters upon his office:

Provided that he may at any time by writing under his hand addressed to the President resign his office.

Explanation.—For the purposes of this section, the term of six years in respect of the Comptroller and Auditor-General holding office immediately before the commencement of this Act shall be computed from the 15th day of August, 1948.

3. **Pension payable to Comptroller and Auditor-General.**—A Comptroller and Auditor-General of India shall, on his retirement, be eligible—

(a) (i) in the case of the Comptroller and Auditor-General holding office immediately before the commencement of this Act, to such pension as may be admissible to him under the rules for the time being applicable to the service to which he belonged at the date on which he became the Comptroller and Auditor-General; or

(ii) in the case of any other Comptroller and Auditor-General who was in the service of the Government at the date of his appointment, to such pension as may be admissible to him under the rules for the time being applicable to the service to which he belonged at the date of his appointment;

*The President has, in pursuance of clauses (1) and (3) of article 117 of the Constitution of India, recommended to the House of the People the introduction and consideration of the Bill.

the service as Comptroller and Auditor-General in either case being reckoned for the purposes of the relevant rules as service for pension; and

(b) to an additional pension of six hundred rupees per annum in respect of each completed year of service as Comptroller and Auditor-General:

Provided that the aggregate of all pensions payable to the Comptroller and Auditor-General shall, in no case, exceed twelve thousand rupees per annum.

4. Other conditions of service of Comptroller and Auditor-General.—Save as otherwise expressly provided in this Act, the other conditions of service of the Comptroller and Auditor-General of India shall be as specified in the Second Schedule to the Constitution.

STATEMENT OF OBJECTS AND REASONS

Under article 148(3) of the Constitution, the salary and other conditions of service of the Comptroller and Auditor-General shall be such as may be determined by law and until they are so determined these are regulated by the provisions in the Second Schedule to the Constitution. Under the provisions as they stand at present, the Comptroller and Auditor-General has to vacate office on completing 35 years of service, if a member of the Indian Civil Service, or on attaining the age of 55 years if a member of any other service and in either case he is entitled to a minimum tenure of five years. The Comptroller and Auditor-General does not receive any additional pension for the period of service in that office. It is considered desirable to fix the tenure of this post in the same way as for other statutory authorities like the Union or State Public Service Commissions and, taking into account the importance of the post and the fact that its holder is constitutionally debarred from holding any office under the Union or State Governments, after vacating office, to allow an additional pension for service as Comptroller and Auditor-General. The Bill proposes that the tenure should be fixed at six years and that an additional pension of Rs. 600 a year be given for service in the post of Comptroller and Auditor-General subject to the condition that the total of all the pensions payable to a retiring Comptroller and Auditor-General should be limited to Rs. 12,000 per annum. It is not proposed to make any change in respect of the other conditions of service of the Comptroller and Auditor-General.

C. D. DESHMUKH.

NEW DELHI;
The 6th April, 1953.

M. N. KAUL,
Secretary.